

Borel.Sent.

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA,                     No. 97-091(JAF)  
Plaintiff,                                         Hato Rey, Puerto Rico  
November 10, 1999  
v.  
ARMANDO BOREL BARREIRO,  
Defendant.

## TRANSCRIPT OF SENTENCING HEARING

BEFORE THE HONORABLE JOSE ANTONIO FUSTE  
UNITED STATES DISTRICT JUDGE

APPEARANCES:

For the Government:

MARIA DOMINGUEZ, AUSA  
EDNA ROSARIO, AUSA  
US Attorney's Office

For Defendant  
Armando Borel: YOLANDA COLLAZO, ESQ.



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Court Reporter:

Donna W. Dratwa, RMR, CR

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PROCEEDINGS

- - -

THE COURT: Let's call the next case.

THE CLERK: Yes, Your Honor. For sentence,  
criminal 97-91, the United States of America versus  
Armando Borel.

MS. COLLAZO: Good afternoon. On behalf of A  
Armando

Borel, Yolanda Collazo. And we're ready to proceed  
sir.

THE COURT: Well, Counsel, what objections re  
main  
as to the presentence report of Mr. Borel?

MS. COLLAZO: We have no objections to the  
presentence report. We believe that the probation  
officer did an excellent job assessing all matters

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1       pertaining to the instant case and also to the pers  
nal  
5       factors of the defendant. Just so, to the effect t  
at in  
6       the presentence report, he included my contention i  
7       regards to having Mr. Borel responsible only for th  
8       monies diverted from Octagon; that is, the amount o  
9       \$50,000.

20               And he also included the government's content  
ion to  
21       the effect that he was responsible for all the  
22       transactions in which he participated, and the cond  
uct of  
23       others in the criminal activity that was reasonably  
24       foreseeable for him. According to the government,  
he  
25       should be made accountable for the amount of \$695,0  
00.

3

1       That amount, including \$50,000 in checks signed by  
2       Mr. Borel from Octagon, \$240,000 from Medservices,  
and  
3       \$374,000 from Fundacion Panamericana, and \$31,000 f

5                   It is our contention, Your Honor, that Mr. Borel  
6                   should only be held accountable for the monies that  
7                   diverted from Octagon. That was the only point that  
8                   are in dispute. But in regards to the presentence,  
9                   believe that it was adequately assessed in all fact  
10                   ors.

10                   THE COURT: Government?

11                   MS. ROSARIO: We object to Ms. Collazo's argu  
12                   that Mr. Borel should only be held accountable for  
13                   \$50,000, which was the money from Octagon, based on  
14                   defendant was found guilty by a jury as a coconspir  
15                   of the conspiracy charge in Count One.

16                   We proffer to the Court that he would pick up  
17                   checks. We proffer to the Court that we have avail  
18                   Angel Corcino, who is in the witness room, who wou  
19                   testify, Your Honor, that when Yamil Kouri was not  
in

20 Puerto Rico, Armando Bolel would pick up the  
from  
21 Fundaci n and Medservices and deliver them to Yamil  
22 Kouri, which were monies that Your Honor knows were  
23 diverted from ACHS.  
24 We also proffer to the Court that Armando Bolel's  
25 participation in this conspiracy made him an active

4

1 participant of the diversion of funds, and that it  
was  
2 foreseeable the amount of loss that is charged in  
he  
3 indictment, as in the PSI. Mr. Corcino is available  
to  
4 testify, should the Court want to hear his testimony.  
Y.

5 THE COURT: Very well. I don't want to make  
a

6 ruling on this adjustment yet.

7 Let me ask counsel, what do you have to say  
n  
8 behalf of your client?

9 MS. COLLAZO: I believe that it was not foreseeable  
eeable

1 for him, Your Honor, in regards to what the governm  
it  
2 contends, in regards to the part that they mentione  
to  
3 the credibility of Corcino. I would join brother -  
or  
4 distinguished brother counsel Rebollo in regards to  
the  
5 credibility of Mr. Corcino.

6 Being so, Your Honor, I believe that even the  
7 jurors that sat on this case for three months and  
them  
8 assessed all the evidence that was set forth before  
they  
9 made a distinction in regards to Mr. Borel, whereas  
10 acquitted him on Count Seven. So -- Your Honor was  
the  
11 presiding judge in this case.

12 THE COURT: Which was -- Count Seven was  
13 specifically which one?

14 MS. COLLAZO: Count Seven.

15 THE COURT: Which was?

16 MS. COLLAZO: The one that had to do with

1 Laboratory Especiales, some checks that were given  
1.

2 MS. ROSARIO: The count that charged the \$50,  
00  
3 count.

4 MS. COLLAZO: No, I'm talking about the accou  
t  
5 that --

6 MS. ROSARIO: I stand corrected, Your Honor.

7 MS. COLLAZO: I think the distinction should  
be

8 made, Your Honor, in regards to his participation v  
ersus

9 the other defendants in this case. And I believe t  
hat

10 Your Honor being the presiding judge here, and care  
fully,

11 as always, assessing all the evidence that is broug  
ht

12 forth, is a person to adequately go over those matt  
ers,

13 Your Honor.

14 THE COURT: Very well. And what about the ge  
neral

15 elocution.

16 MS. COLLAZO: I would like to bring to the  
17 attention of the Court, and above all, we move the  
18 discretion and the authority of this Court in regar  
ds to



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part sentencing, Your Honor, as per the letters that for  
nd of the presentence report that you have before you,  
that I also have a copy -- Mr. Borel has always bee  
a law-abiding citizen. He's always been a hard worke  
a family man. His family is composed of his 83-year-  
ld mother, who is not in the best of health; his wife,  
4 who  
5 at the present time is without a job; his son, who'  
a

6

1 senior in his fourth year of pre-med school, and wh  
, this  
2 coming year will enter medical school, in pursuit o  
a  
3 degree as a physician; that he has really suffered  
4 greatly the results of the involvement in this case  
, and  
5 that, as per the letters of the commendation, he ha  
s been  
6 a hard worker, a dedicated husband, a dedicated son  
, and



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7 that I pray Your Honor will take all of those facto  
rs in

8 consideration at the time of sentencing.

9 THE COURT: Mr. Borel, I would really like to  
hear

10 from you. If you are so kind.

11 (Defendant speaks with the assistance of the  
12 interpreter.)

13 THE DEFENDANT: This is certainly difficult f  
or me

14 to be here today before you. I can say, Your Honor  
, and

15 I can swear to you, by the most sacred thing, the t  
hing

16 that I hold the dearest, which is my family -- my m  
other,

17 my wife, and my son -- that I didn't take a single

18 dollar, a single penny. I didn't steal anything, a  
nd I

19 did not allow myself to be used for the stealing of  
any

20 money.

21 Those checks that were signed by me were endo  
rsed

22 to Food Service or Advanced Combo or Advanced Food.  
They

23 were never filled out by me. I never knew the

24 destination of that money. And I would like for yo  
u to

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25 look into my heart, the pain that I have in my hear  
t. I

7

1 did not steal anything. And I can swear that befor  
e God,

2 my hand on a Bible. That is the truth.

3 THE COURT: Under what circumstances were tho  
se

4 checks prepared? If you're so kind, would you tell  
me?

5 Who was to prepare the checks, and how did you come  
about

6 preparing those checks?

7 THE DEFENDANT: The reason was that Mr. Eaves

8 Mr. William Eaves, was not in Puerto Rico. He had  
gone

9 back home to the United States, to his house, and I  
was

10 about to leave too, to go see my family -- which I  
did

11 once a month. And in case there was a need to buy

12 anything, the checks were signed blank. I never en  
dorsed

13 any of them.

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14 THE COURT: Who took the checks and signed th  
em

15 blank, if you know?

16 THE DEFENDANT: I gave those checks to Mr. Co  
rcino,

17 with my signature, signed by me. But I didn't fill  
them

18 out. I didn't know of that corporation. I didn't  
know

19 of the existence of that corporation. I never went  
to

20 their offices. I never went there. I didn't even  
know

21 it existed.

22 THE COURT: Did you at some point in time del  
iver

23 to anybody else checks at the request of Dr. Kouri  
or

24 anybody else?

25 THE DEFENDANT: I never delivered anything to

8

1 anybody. Mr. Kouri, Dr. Kouri would see me sporadi  
cally

2 whenever he would come and visit our offices, but h  
e

3 never gave me any errands to run.

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4 THE COURT: I know that you had a right not to  
o  
5 testify, obviously. Why wouldn't you testify and  
ell  
6 the jury that this was so?

7 THE DEFENDANT: Well, to tell you the truth,  
Your  
8 Honor, that these events before this Court have been  
n  
9 terrible for me. I have always sat here in awe and  
10 completely afraid of all these proceedings. These  
last  
11 three years have been terrible for me. Maybe you did  
id not  
12 see it in my face. But every time I came here before  
re  
13 this court, before Your Honor, and before this jury  
, I  
14 was deathly afraid of what was going to happen.

15 THE COURT: Probation.

16 (Sidebar discussion had with the probation officer  
er off  
17 the record.)

18 THE COURT: Would counsel please approach the  
bench  
19 a minute.

20 (Sidebar conference had with all counsel and probation  
bation

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21 officer at bench off the record.  
22 THE COURT: I have asked for the govern  
23 obtain a particular statement that apparently  
24 orel gave to the offices of the comptroller at the time  
25 of their investigation so I can take a look at it. He  
t me

9

1 take a short recess until the document is secured,  
and  
2 then we'll continue.  
3 (Brief recess was had.)  
4 THE COURT: May I see the papers, please.  
5 MS. ROSARIO: Judge, the relevant questions h  
ave  
6 been highlighted. I'm also providing to the Court  
the  
7 seven checks that are the subject of this transacti  
on, in  
8 the government's demonstrative chart.  
9 (Documents handed to Court.)  
10 THE COURT: Will counsel please approach the  
bench.

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11 (Sidebar discussion had off the record.)

12 THE COURT: Government, I will hear you  
13 e

13 issue of elocution, and I will hear Mr. Borel again

14 MS. DOMINGUEZ: The government is not plannin  
15 g to

15 make any additional statement before the defendant  
16 was

16 sentenced, but in light of the representation that  
17 he has

17 made to the Court, I feel compelled to make a state  
18 ment

18 so that the record accurately reflects the evidence

19 presented at trial in this case.

20 Number one, Judge, Mr. Borel has indicated to  
21 the

21 Court that he rarely saw Dr. Kouri. His attempt to

22 distance himself from Dr. Kouri really is contradic  
23 tory

23 to the bulk of the evidence that was presented at t  
24 rial,

24 and I would remind the Court of the testimony of Su  
25 zette

25 Coretjer, William Eaves, Sonia Tolinche.

10

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1                   These are all people that said that Armando B  
orel,  
2                   specifically with respect to Suzette and Eaves, the  
y said  
3                   that Armando Borel really did nothing at Octagon; t  
hat he  
4                   was, in everyone's perception, the eyes and ears of  
5                   Kouri. Because at the times he would visit, he wou  
ld  
6                   simply be trying to uncover information. He had a  
very  
7                   close relationship with Dr. Kouri.  
8                   Sonia Tolinche also went as far as describing  
an  
9                   event where Mr. Borel had his ear to the door in an  
10                  attempt to hear what was transpiring in closed quar  
ters.  
11                  There was testimony also that his position at ACHS  
was  
12                  created. It was a created position, because Yamil  
Kouri  
13                  brought him to ACHS.  
14                  So his attempt to really distance himself fro  
m  
15                  ACHS, I think, really is not supported by the evid  
nce,  
16                  and the evidence has been that his relationship was  
17                  really with Yamil Kouri, not with Angel Corcino.



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18 Mr. Borel goes on to relay to the Court, in  
19 specific response to the Court's questions regardin  
20 g the \$50,000 Octagon transaction, and he stated to the C  
21 ourt that he did not receive any money himself in that  
22 transaction, which he is not necessarily accused of  
23 doing, and is not necessary in order to find him a  
24 member of the conspiracy here.  
25 However, Judge, he made a pretty brief statem  
ent to

11

1 the Court in which he essentially distances himself  
2 totally from this transaction. He said that he mad  
3 e the checks payable to Advanced Food Service, and that i  
4 t was done as a matter of convenience in case checks were  
5 needed for the legitimate business affairs of Octag  
6 on during his absence and Mr. Eaves's absence. And Ju  
7 dge, that really is not the evidence in this case.  
8 First of all, as the Court will recall, there

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were

9 two checks payable from Advanced Community Serv  
to

10 Octagon Corporation, both issued on the same date,  
11 September 24, 1992, both for the same amount -- \$25  
,000

12 each, for a total of \$50,000. The court is well aw  
are

13 these checks were endorsed, the testimony has been  
by

14 Mr. Borel, and if the Court will compare the endorse  
ements

15 on these checks with the endorsements on the ones t  
hat

16 Mr. Borel later cashed, it's the same handwriting.  
You

17 don't have to be an expert in calligraphy to be abl  
e to

18 discern that.

19 Now, Judge, after these checks were deposited  
in

20 the Octagon account, within four days after that, s  
even

21 temporary checks were written from the Octagon acco  
unt.

22 Now, I would suggest to the Court, the

23 Mr. Borel thought these were legitimate transaction  
s,

24 what is the need to use temporary checks? What was  
the

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25 need to advise the president of the company, William  
m

12

1 Eaves, and the bookkeeper of the company who handle  
d the  
2 bookkeeping for the corporation, Suzette Coretjer,  
that  
3 this was being done. Seven checks are issued betwe  
en  
4 September 28 and October 1 of 1992, totaling \$50,00  
0,  
5 Judge. Four of those checks, which Mr. Borel  
6 conveniently told the Court about were in fact made  
7 payable to Advanced Food Service, and those checks  
have  
8 been in evidence. But what Mr. Borel has neglected  
to  
9 mention, three of those checks were payable to hims  
elf  
10 and endorsed and cashed by himself. He did not mak  
e  
11 reference to that.

12 In my questioning of Ms. Collazo, where I poi  
nted  
13 out those checks after Mr. Borel's elocution, appar  
ently

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14 she represents that he claims to have given this mo  
ney to  
15 Angel Corcino.  
16 And I would suggest to the Court that when so  
meone  
17 is misrepresenting, he's got to have a very good me  
mory,  
18 because Mr. Borel made a statement to the agents in  
this  
19 case and to representatives from the comptroller's  
office  
20 in February of 1997, where essentially, Judge, he c  
laims  
21 that those checks were cashed for the purpose of bu  
ying  
22 medical equipment, and he could not recall medical  
23 equipment he had bought with \$18,000 of ACHS's mone  
y.  
24 But that is the essence of the statement that he ga  
ve to  
25 the authorities, Judge.

13

1 MS. COLLAZO: Your Honor, I ask that he clari  
fy to  
2 the questions posed by Your Honor.

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3 THE COURT: He can clarify the issues in re-  
e  
4 checks that Ms. Dominguez has explained.

5 THE DEFENDANT: I am a little more at ease no  
w,  
6 Your Honor. Allow me to explain.

7 I received two checks in the amount of \$25,000  
0  
8 each, and I was told to deposit this in the Octagon  
9 account, which I did. And in regards to these two  
10 checks, that was the only thing that I did with the  
m. I  
11 went to the bank and deposited them.

12 Several years later, when the officers came to  
o my  
13 house and they knocked on my door and they introduced  
ed  
14 themselves and they started asking me questions, af-  
ter so  
15 long a period of time, there are many things that y  
ou can  
16 remember, and what I was told in regards to these f  
unds  
17 was that the money was for the purchase of equipmen  
t,  
18 medication, and supplies.

19 But I never received any information that thi  
s  
20 money was going to be given any improper use, becau

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se if

21 I had, I would not have cashed them. I told  
22 something awhile ago, which I will now repeat  
ashed  
23 these checks, and I turned over that money to Mr. A  
ngel  
24 Corcino personally, and that is the truth. I never  
25 turned over anything else to anyone else. And I ca  
n

14

1 swear that to you, Your Honor, once again, before t  
he  
2 Bible, before God, however you would like. I never  
did  
3 anything of this.  
4 And in relation to these ones, like I comment  
ed  
5 awhile ago, I was leaving on a trip, and I signed t  
hem  
6 and I turned them over. All they had was the signa  
ture.  
7 And as you can observe, the checks were prepared by  
a  
8 typewriter, and that same typewriter was the one us  
ed for  
9 preparing the invoices. You can verify that very

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10 carefully. I didn't fill these out.

11 But that same typewriter that was used for  
12 preparing these checks and the invoices is the same  
13 typewriter that was used for the preparation of cou  
14 ntless

14 invoices, and that is the typewriter that I never h  
ad any

15 access to. Because once more, I repeat, I never ha  
d

16 access to that office. There were invoices from ot  
her

17 institutions for which this company rendered servic  
es

18 for. Therefore, I count have filled them out, and  
I

19 never learned what the destination was of these fun  
ds,

20 and neither did I know the amounts that the checks  
were

21 made out to.

22 Your Honor, every time I would cash one of th  
ese

23 checks, I would go to Mr. Corcino's office. I woul  
d turn

24 the money in to him like a normal business operatio  
n.

25 And you must remember that this institution was the



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1 institution from which the institute would purchase  
the  
2 products, but the institution itself had its person  
nel  
3 intermingled with the personnel from the institute.  
It  
4 was the same people.

5 But I never kept a single penny out of this,  
and I  
6 never allowed myself to be used by knowing that thi  
s  
7 money was going to be used for doing this or the ot  
her.  
8 I was never aware of any of this.

9 If you could call it that, Your Honor, I was  
taken  
10 advantage of, Your Honor, without my consent and wi  
thout  
11 my knowledge. I don't know exactly by who or how,  
but I  
12 was.

13 THE COURT: Did you ever receive checks or mo  
nies  
14 from Mr. Corcino for Dr. Kouri?

15 THE DEFENDANT: Never. I never took anything  
. I

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16 mean, never was I told, "Listen, go and take this e  
ver to

17 Kouri", not checks, not cash, never.

18 If you were to tell me, "Hey, listen, could y  
ou

19 take this envelope over to Ms. Sotomayor's office a  
s a

20 favor," might have done something like that. But k  
nowing

21 the contents of it, never.

22 And I just mention the name Sotomayor out of

23 mentioning a single name, but as an example. But I  
never

24 worked as a messenger, as an errand boy for anyone,  
not

25 taking money for anyone.

16

1 THE COURT: Probation officer.

2 (Sidebar discussion held with the probation offi  
cer

3 off the record.)

4 (End of sidebar.)

5 THE COURT: The sentencing findings are as fo  
llows:

6 On June 14, Armando Borel Barreiro was found guilty

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as to

7 Counts One and Five of the indictment, violations t  
o

8 18 US Code, section 371, 666, and Section 02 pursua  
nt to

9 Guideline Section 3D1.2(d), and 2B1.1, which is not  
hing

10 else, but a loss table. Counts One and Two were gro  
uped

11 together into a combined base offense level of four

12 I have this discrepancy, if you will, among t  
he

13 parties as to the loss, and that I have to deal wit  
h. On

14 the one hand, counsel for the defendant suggests th  
at the

15 loss should be 500,000. Government claims --

16 MS. COLLAZO: 50,000.

17 THE COURT: 50,000. That zero was -- 50,000.

18 The government, on the other hand, suggests a

19 figure of 695,000. I would say that both sides mak  
e a

20 plausible argument, if you will, for the amount inv  
olved,

21 but I have to follow, in this sense, my own instinc  
ts in

22 figuring out what the loss is. That's what I get p  
aid

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23 for. And I can tell you that the more I think about  
24 it,

24 I am having difficulties to factor in a loss of more  
25 e than

25 \$50,000 in this case, because something tells me that  
at it

17

1 should not be that way.

2 The evaluation that I make of this evidence,  
3 of

3 what happened at the trial, those many things that  
4 you

4 see that are not necessarily documented that you gauge  
5 as

5 things go along, I do think that I should use the \$  
50,000

6 figure. And if that is so, 50,000, with more than

7 minimal planning, the base offense level must be

8 increased by nine levels, pursuant to Guideline

9 Section 2B1.1(b)(1)(M).

10 PROBATION OFFICER: Capital H, Your Honor.

11 THE COURT: Capital H, I'm sorry -- and (b)(4)  
12 )(A).

12 The presentence report depicts this man as being a

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13 minor participant. There is no objection as to that.  
14 t.

14 Both parties in agreement as to that adjustment.

15 Therefore, the base offense level is decreased

16 levels, pursuant to Guideline Section 3B1.2(b).

17 The defendant has not earned a reduction on account  
18 of acceptance of criminal responsibility. There are no

18 of acceptance of criminal responsibility. There are no  
19 other applicable adjustments, so we finish this

20 calculation with a total offense level of 13, Criminal  
21 History Category of I. The Guideline Imprisonment  
22 Range

22 would be from 12 to 18 months. Fine range would be  
23 3,000

23 to 30,000.

24

24 THE PROBATION OFFICER: Your Honor, may I approach?  
25

25 THE COURT: Sure.

18

1 MS. DOMINGUEZ: I think it would be an 11.

2 THE COURT: It's seven levels.

3 THE PROBATION OFFICER: He started at a base

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4 offense level of four, at seven levels for the  
nt of  
5 money, two levels for more than minimal pl  
hat's  
6 13. That's true; it is 13. I'm sorry, Your Honor.  
Yes,  
7 it is.  
8 THE COURT: Thirteen. So I was saying that t  
he  
9 fine range is 3,000 to 30,000.  
10 Supervised release term of at least two, and  
not  
11 more than three years. The guideline imprisonment  
range  
12 for that level would be, as I said before, 12 to 18  
13 months.  
14 It is the judgment of this Court that the def  
endant  
15 is hereby committed to the custody of the Bureau of  
16 Prisons to be imprisoned for a term of 12 months an  
d one  
17 day.  
18 Having considered his financial condition, no  
fine  
19 is imposed.  
20 Upon release from confinement, the defendant  
shall  
21 be placed on supervised release for a term of two y  
ears,

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22 to be served under the following terms and conditio  
n:  
23 First, he will not commit another federal, state, o  
r  
24 local crime, and shall observe the standard conditi  
ons of  
25 supervised release recommended by the US Sentencing

19

1 Commission and adopted by this Court.

2 He will not possess any controlled substances  
,  
3 firearms, or dangerous weapons. He will provide th  
e  
4 probation officer access to any financial informati  
on  
5 upon request.

6 Restitution-wise, is there any discrepancy ab  
out  
7 the amount? How much restitution should be factore  
d in  
8 this case?

9 MS. WOMAN: I think if the Court is going to  
10 restrict his involvement to the \$50,000 transaction  
, it  
11 should be limited to that.



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12 THE COURT: But Probation Officer, why is it  
that  
13 we have in the recommendation 18,000? I don't unde  
rstand  
14 that number.  
15 THE PROBATION OFFICER: Let me check, Your Ho  
nor.  
16 THE COURT: There must be an explanation for  
that.  
17 MS. WOMAN: \$18,000 would correspond to the t  
hree  
18 checks that were actually cashed by him but does no  
t  
19 contemplate the other four checks that he signed.  
20 THE COURT: Very well. The defendant shall m  
ake  
21 restitution in the amount of 18,772.20, to the US  
22 Department of Health and Human Services during the  
first  
23 20 months of supervision, as directed by the probat  
ion  
24 officer, and will notify the US Attorney's Office,  
as  
25 well as the probation officer, of any change of nam  
e or

20

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1 address before the full amount has been paid.

2 Restitution payments will be made to the clerk of  
his

3 court for disbursement to the victim, which is the

4 government.

5 The standard requirement of drug testing, in  
his

6 case, is waived.

7 Special monetary assessment in the amount of  
\$50

8 dollars for each count of conviction is imposed, fo  
r a

9 total of 100. The defendant is advised that he can

10 appeal the conviction and the sentence if he believ  
es

11 that the sentence or the conviction were unlawfully  
12 obtained or imposed.

13 He also has the right to file a notice of app  
eal

14 within ten days from today. He has also the right  
to

15 proceed in forma pauperis, if he cannot satisfy the  
16 services of an attorney or the costs on appeal.

17 Anything else at this time, Counsel?

18 MS. COLLAZO: Nothing further, Your Honor.

19 THE COURT: Voluntary surrender is going to b  
e

Borel.Sent.

20 allowed.

21 MS. WOMAN: We have no objection to that. I  
still

22 get an 11 -- I don't know how -- on the base offens  
e

23 level of four.

24 THE COURT: It's four; there is a seven incre  
ase.

25 THE PROBATION OFFICER: Minus two was for the  
role.

21

1 I thought I had done it wrong and I had put accepta  
nce of

2 responsibility. But the minus two is for the minor  
role.

3 MS. WOMAN: What I have is base offense level  
of

4 four, specific offense characteristic of seven. Mo  
re

5 than minimal planning would be 13, plus minor parti  
cipant

6 was 11. The Court sentence still falls within that  
7 offense level.

8 THE COURT: It's still 11. It's still going  
to

Borel.Sent.

9 be -- the range is eight to 14. That is why we be  
ame  
10 lawyers, because we can't add.  
11 Anything else at this time?  
12 MS. WOMAN: Nothing from the government, than  
k you,  
13 sir.  
14 THE COURT: You're now excused.  
15 What else do we have for the afternoon?  
16 THE CLERK: Yes, and a status conference.  
17 MS. COLLAZO: I'm sorry. It's been a difficu  
lt  
18 day. We respectfully request from Your Honor a vol  
untary  
19 surrender.  
20 THE COURT: I already granted it.  
21 MS. COLLAZO: I'm sorry.  
22 THE COURT: Thank you very much.  
23 You're now excused.  
24 THE COURT: Let's take a brief recess.  
25 (End of proceeding)

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Borel.Sent.

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Borel.Sent.

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C.E R T I F I C A T I O N

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I certify that the foregoing is a correct  
transcript from the record of proceedings in the  
above-entitled matter.

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\_\_\_\_\_  
Signature of Court Reporter

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Date

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